

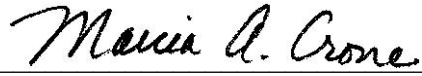
EASTERN DISTRICT OF TEXAS

CIVIL ACTION NO. 1:09-CV-554

Defendants.

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED** to the extent it recommends dismissal without prejudice. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED at Beaumont, Texas, this 6th day of February, 2010.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a large initial "M".

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE